

## MIDSUMMER DAY IN COURT

Forty-six opinions handed down by judges.

That was only an item of the vast amount of business disposed of by the three judges during the day. Argument in the case of *George W. Jenkins against the City—The Dunmore Sewer Matter*—Three new divorce cases begun. Appointments—Marriage licenses.

A record-breaking midsummer day in court was yesterday. Never, since the county was erected, was there such a large number of opinions handed down in a midsummer day as yesterday, and many of them were of great importance, as will be seen by reference to the list printed below.

The judges have spent the usual vacation period in hard work, and the result of their labors was apparent in the mass of cases disposed of yesterday. President Judge Edwards had a particularly large number of opinions. The various decisions follow:

**PRESIDENT JUDGE EDWARDS.**

Conrad Schroeder against Scranton Gas and Water company; demurrer sustained and plaintiff's bill is dismissed. (This means that the city council have no right to pass an ordinance fixing water rates.)

In re contested election of M. J. Kelly for the office of county treasurer; Kelly declared elected, and county directed to pay costs.

Commonwealth of Pennsylvania ex rel. John J. Evans and others against M. J. Kelly and others; judgment for the relators upon the demurrer, with costs; peremptory writ of mandamus issued as prayed for in the petition of the relators.

In re condemnation of the Factoryville and Abington turnpike and plank road; exceptions overruled and report of viewers is confirmed finally.

Commonwealth against S. E. Wayland; rule to quash indictment is discharged.

Commonwealth against Frank Williams; demurrer to indictment is overruled.

Commonwealth against Mrs. Annie Ames; rule to quash indictment is discharged.

Herman Ochs against Lackawanna county; judgment entered in favor of the plaintiff for one dollar and costs.

Commonwealth against J. W. Guernsey and others; demurrer to indictment for conspiracy is overruled and judgment for the defendants.

Regina Music Box company against A. H. Lutz; affidavit of defense insufficient; rule for judgment made absolute.

John Middlemore & Co. against B. A. Hill and others; rule for judgment, except as to the claim of \$1.45.

P. D. Manley against Isabella Okell; rule to set aside award of arbitrators obtained by defendant is discharged.

In re estate of Nathaniel Pritch; exceptions to report of auditor are dismissed, except as to items amounting to \$5,242.42.

W. W. Watt against John McCombs; rule for a new trial is discharged and new trial is refused.

Commonwealth against James W. Guernsey and others; demurrer to indictment is overruled.

Commonwealth against Fred W. Naylor; indictment quashed.

D. B. Reppel against D. T. Williams; against Agnes J. Carey and W. C. Carey; rule to stay execution for costs is discharged.

J. E. Westgate against J. K. Weidman; rule for a new trial is discharged.

James Gammon against Mary Riel; rule to apply money is discharged without prejudice.

J. S. Miller against F. Gross; rule to open judgment made absolute.

Use of Barbara Jennings against P. C. Cannon; rule for judgment made absolute.

John Cleland against Charles H. Schadt et al.; case stated quashed.

**JUDGE JOHN P. KELLY.**

P. P. Carter and others against the Ridge Turnpike company; judgment for the plaintiff, defendant to have sufficient time to have price of land liquidated.

In re incorporation of the United Liquor Dealers' association of Olyphant; application for a charter is refused.

Scranton Gas and Water company against Cornelius and Margaret A. Smith; exceptions to affidavit of defense dismissed and rule for judgment for want of sufficient affidavit of defense is discharged.

The borough of Old Forge against the School District of Old Forge; judgment in favor of the plaintiff, with right of appeal.

Maria W. O'Malley and others against Bridget O'Malley and others; rule to strike off judgment is discharged.

**LOOKING INWARD.**

Could You Look Inside Yourself?

You Would See Why the Nerves Have Such a Wide Influence Over Health.

The influence of Nerve Control over health was never so fully recognized as now. It is clearly illustrated in the thousands of cases made by Dr. A. W. Chase's Nerve Pills—a medicine that has leaped into public favor solely on its wonderful Nerve restoring properties. The reason Nerve Pills break down the barriers of ill health, is because they restore Nerve Energy—the main spring of health. They supply the something that is wanting which makes the human machinery run smoothly, they act through that great network of human organism, reaching every part of the body—the Nerves.

Dr. A. W. Chase's Nerve Pills do not let as a momentary stimulant that whips up the Nerves for the time being only—they first stop the wasting process and then build up Nerve Energy by replacing Nerve waste with active, responsive tissue—the kind that vibrates health to mind and muscle.

Mrs. Joseph Mitchell, of No. 516 Linden street, West Scranton, Pa., says: "I was all out of order, nervous and could not sleep—weak and miserable. The kidneys were sluggish and the back lame—nothing seemed to help me until I got a box of the Nerve Pills at Matthews Bros. drug store, Lackawanna avenue. Since I took them I sleep well, don't jerk and talk. My nerves are steady—I feel strong and the kidneys are working well again. I am more than pleased and glad to recommend the medicine."

Dr. A. W. Chase's Nerve Pills, 50 cents a box at druggists or Dr. A. W. Chase Medicine Co., Buffalo, N. Y. See that portrait and signature of Dr. A. W. Chase are on every package.

Use of Samuel Cotfield, committee, etc., against Henry Armbrust and others; rule for judgment for want of sufficient affidavit of defense is discharged.

The Scranton Supply and Machinery company against R. B. Williams and F. P. Christian; exceptions to the affidavit of defense of F. P. Christian dismissed and rule for judgment made absolute.

William J. McDermott against Borough of Jersey; judgment entered in favor of plaintiff and against defendant in the sum of \$1,000, with interest at the rate of five per cent. per annum from May 1, 1899. Either party to have the right to appeal.

George W. Potter and others against the Scranton Railway company; rule to show cause why judgment should not be entered in favor of the defendant non obstante veredicto is made absolute.

Annie Kilmartin against the Fire Association of Philadelphia; rule for new trial is discharged.

William Alspaugh against Nancy Reynolds; rule for new trial is discharged.

Estate of Sheffield Reynolds, deceased; proceeds on the petition of Mary E. Lazarus, filed May 31, 1899, are dismissed without prejudice, however, so far as the said petition prayed for an account from the executor; costs of proceedings to be paid by estate.

H. H. Seidel and others against S. F. Shelly and others; rule to show cause why judgment should not be entered for the plaintiffs for \$5,000 on the point reserved non obstante veredicto is discharged, and judgment is directed to be entered in favor of the plaintiffs and against the defendants in the sum of \$5,000, with interest from the date of verdict.

**JUDGE J. W. CARPENTER.**

City of Scranton against E. R. Sturges; rule to take off non-audit is discharged.

John F. Fowler against Meadow Brook Water company; rule for a new trial is discharged.

William H. Krantz, to use of Honorable Scranton company, against George W. Kasten; rule to strike off judgment is discharged.

Charles Lewin against Martha V. Poff and others; rule for new trial and judgment non obstante veredicto are discharged and judgment entered on the verdict in favor of the plaintiff.

In re road in Newton; report of the viewers is set aside.

Penner & Chappell against E. R. Griffith and others; rule for new trial is made absolute.

Deborah M. LaMarr against Keystone academy; judgment for the plaintiff in the sum of \$1.20, unless exceptions be filed within thirty days.

Freeman Leech, assigned to Silas Hartley, against Fred Guerner; exceptions to plaintiff's report dismissed.

Hyman Dinner against Central Pennsylvania Telephone and Supply company; rule to amend record discharged.

Jennie Jones against Franklin Howell; demurrer is overruled and defendant required to answer within fifteen days.

Estate of Rebecca Colby, deceased; account confirmed.

**Three Divorce Cases.**

Mrs. Rose Widenor yesterday began an action to secure a divorce from Arthur Widenor, to whom she was married on January 11, 1899. Her husband now lives at 428 Monroe avenue, and she alleges she was compelled to leave him on August 1, 1901, because of his cruel treatment.

Frank Southard wants a divorce from Bessie Southard, who deserted him. They were married February 10, 1900, and Southard says his wife left him August 24 of that year.

Nathan Grossman, who married Ellen Grossman in Hungary, December 15, 1888, wants a divorce, because his wife does not keep his house in proper condition and does not cook his meals. In June, 1888, they came to this country, and of late years Grossman says his life has been everything but enviable.

**That Dunmore Sewer.**

There was an argument yesterday before the three judges on the question of dismissing at once the exceptions to report of the viewers on the sewer for the second district of Dunmore. It was alleged that the filing of the exceptions was a breach of faith upon the part of George Potter and George Frost, Dunmore property owners. Attorney I. H. Burns appeared for these gentlemen and Borough Solicitor J. W. McDonald and A. A. Vosburg for the borough. Court took the papers refusing to act summarily in the matter.

The bills of W. J. Jeffrey and R. A. Zimmerman, viewers of the sewer, were approved. The former's was for \$1,253 and the latter's for \$1,275. The bill of the third viewer, W. J. O'Brien, was held for further consideration.

**Jailers' Salaries Raised.**

Petition was recently made to court by Sheriff Schadt, Assistant Jail Warden Buschell and Keepers John R. Jones, John E. Gaffney, Nelson Graves, D. J. Roche, Andrew Best and Miles McManis for a raise in salary for the assistant warden and keepers.

The assistant warden was receiving \$75 a month and the keepers \$70. They asked for a \$10 raise. The request was granted.

In the petition it was set forth that the salaries were fixed in 1888 when there were only 90 prisoners in the jail. The average number of prisoners lately has been 170.

**Both Jones Won Out.**

Court yesterday discharged the rule to revoke the license of Henry M. Jones, whose place at the corner of Penn avenue and Spruce street was alleged by the Municipal league to be the resort of lewd women and a generally disorderly house.

The testimony presented by the league did not bring home to the proprietor or his employees knowledge of the fact that such women did frequent the place were lewd, and, furthermore, neighbors and frequenters of the hotel in large numbers testified that the place was conducted in a very orderly manner.

**Jenkins Case Argued.**

Before the full bench yesterday afternoon argument was heard in the case stated of George W. Jenkins against the city of Scranton, to test his right to the office of delinquent tax collector for the city, an office he was appointed to by Former Recorder Morgan.

Attorney A. A. Vosburg appeared for Mr. Jenkins and argued that his client is delinquent tax collector and will continue to be until he is removed and that in the meantime he should be paid.

Attorney H. C. Reynolds, who appeared for the city, argued strenuously that before the "chaser" to the "tripper" bill was passed the power to select a delinquent tax collector was lodged with councils and that the recorder had no right to appoint.

**Little One Costs \$1,108.**

The formal order declaring Thomas W. Holmes, of Pitt, successful in his contest of the election of Nicholas Glenn, for the office of justice of the

peace, was handed down yesterday by Judge Edwards.

The bill of Commissioner Louis Granger for \$500, and Stenographer M. J. McAndrew for \$665, were approved.

**Guardians Appointed.**

John F. Joyce was yesterday appointed guardian of Andrew and Nurbert Mahon, minor children of John R. Mahon, deceased.

Angelina C. Dersheimer was appointed guardian of Ralph Letchworth, minor child of T. P. Letchworth.

Thomas M. Hart was appointed guardian of Maud Dowden, minor child of Levi Dowden, deceased.

Mart F. Hart was appointed guardian of Ethel C. Hart, minor child of Mark F. Hart, late of Carbondale.

M. B. O'Hart was yesterday appointed guardian of Mary A. Rogers, minor child of M. E. Rogers, late of the borough of Dunmore.

C. B. Watsons, of Dunmore, was appointed guardian of Loren C. Compston.

**Marriage Licenses.**

Peter Scarpino ..... Old Forge  
Maria Killeen ..... Old Forge  
John Connolly ..... Hoboken, N. J.  
Anna Kelly ..... Scranton  
George W. Craig ..... Scranton  
Nettie Watson ..... Dunmore  
Andrew Katsake ..... Olyphant  
Sophia Tsak ..... Olyphant  
John Galbraith ..... Scranton  
Catherine McGovern ..... Scranton  
John W. Buckley ..... Norwich, Conn.  
Emma McLaughlin ..... Carbondale

**COURT HOUSE NEWS NOTES.**

The case of the Barber Asphalt Paving company against the city of Scranton was referred to W. A. Wilson yesterday.

John W. Roberts was yesterday appointed town clerk of Greenfield, vice Elmer L. Arnold, who moved from the county.

The Lackawanna Trust and Safe Deposit company was appointed trustee of the trusts created in the will of Alice D. Carpenter, deceased.

H. H. Smith, tax collector of Benton, filed a \$2500 bond yesterday. The sureties are James Delevan, L. M. Franklin and S. J. Van Fleet.

Prize R. Blair, John F. Scoville and Stephen Nelson were, yesterday, appointed viewers of the proposed road in Carbondale township.

In the matter of the timely proceedings against Jennie Howell, a rule was granted yesterday on her to show cause why she should not pay the costs.

An application was yesterday made for a charter for the Accidental Fund No. 1 and No. 2 of the Pennsylvania Coal company at Dunmore.

A rule was yesterday granted upon M. J. McDermott to bring a suit in respect for the land described in the writ of H. A. Kaubel within ninety days.

E. W. Thayer, John M. Harris and M. P. Cusley were appointed yesterday as commissioners in the matter of dividing Old Forge borough into wards.

John J. Loftus was yesterday appointed constable of the sixth ward of Dunmore to fill the vacancy caused by the failure of William Shipper, the incumbent, to qualify.

The rule was shown by an alternative writ of mandamus should not have been made permanent yesterday in the case of Henry Hayes who alleges that he is unlawfully prevented from having a seat in the council of Dickson City borough.

R. E. Acety, P. F. Gilles and Clarence Babin yesterday filed their report in the matter of damages caused by the widening of Seventh street. They find that the property of John M. Wein and John Fink will be damaged to the extent of \$700.

The Lackawanna bar gained three new members yesterday. W. J. Torrey was admitted on motion of his father, Attorney J. H. Torrey; Claude Fischer, son of Attorney C. H. Fischer, was admitted on motion of W. J. Roe, and Harry Tuck, on motion of Attorney W. J. Bond.

William Knight, who was constable of Benton in 1886, secured a rule, yesterday, on the county commissioners to show cause why they should not allow him to receive his salary as such constable.

John Green, who was accused of and pled guilty to stealing a horse.

Judge Kelly dismissed the desertion proceedings instituted by Mrs. Mary Ridgeway, of Elmville, against her husband, Elmer Ridgeway. There are proceedings for divorce and alimony pending between these parties, and for this and the further reason that the existence in the judge's opinion, does not convict the husband of desertion, the case is dismissed. He was directed yesterday on other proceedings to pay his wife \$20 a month alimony.

Judge Kelly yesterday signed a decree in the case of A. E. Duffy against A. G. Gilmore, this being the first step in the equity proceedings. It was alleged that the latter had used the name of A. E. Duffy, \$5,000, and that the same firm owns A. G. Gilmore \$10,000, and that A. E. Duffy owes Gilmore \$24,943.92. The facts asserted by the plaintiff were set forth in an action on the law side of the court to have the claims ascertained reduced to judgments.

Permission was given to have the case of J. G. Hildner against the Central Pennsylvania Brewing company put on the list for the September term of common pleas. Mr. Hildner alleges that he is entitled to a share of the profits of the brewery, which he claims to have been used in an action on the law side of the court to have the claims ascertained reduced to judgments.

The Pennsylvania Coal company and the Delaware and Hudson company yesterday joined in asking the court to compel the Olyphant company to insist on P. J. Hoban, who was tax collector for the borough of Olyphant, to pay for the year ending March 1, 1900, setting their accounts with the borough. It is alleged that Hoban owes the borough \$4,141.42 and Lavin M. \$2,526.40. Court granted a writ of alternative mandamus returnable Sept. 9.

**Industrial Jottings.**

**Mine Workers Officials Will Say Little About the Conference at Hazleton—Strike Is Over.**

President T. D. Nicholls, Secretary John T. Dempsey and the members of the board of District No. 1, United Mine Workers of America, returned yesterday from Hazleton, where they were in conference all day Thursday and Friday and Saturday morning with the officers and board members of the other two districts.

Neither of the two local officials was particularly communicative about the results of the session. In fact, they remarked that there was little that could be made known at present of the happenings at the joint meeting. "General grievances" said Secretary Dempsey, "were discussed during the three days, and we decided to meet again in Hazleton, August 27, to give matters further consideration. Practically all we could give out for the press was contained in the resolutions which have already appeared in the papers."

In these resolutions, the card question is fully discussed and the statement made that committees of employees will wait upon the superintendents and operators to obtain from them permission to take up the cards at regular intervals.

The national board, which was in session for some days at Indianapolis, has as yet taken no action on the card question. President Mitchell and the other national officials have been requested to attend the joint session at Hazleton, where the matter will be brought directly before them.

**Strike Is Over.**

The strike at the Sterrick Creek colliery of the Temple Iron and Coal company is at an end, and the men back to work after one day's idleness. As was exclusively reported in Satur-

day morning's Tribune, the men went on strike, as a result of discovering the presence of several non-union employees among those who went down the shaft Friday morning.

The same night, however, the ten men who did not belong to the union reported in a body at a meeting of the local and were admitted to membership. Other men who had been unable to show their cards at the examination held on the road near the colliery, satisfactorily explained that they had left them at home. The colliery was operated Saturday and yesterday, as usual.

**No Concessions Made.**

The employees of the Temple Iron and Coal company have received their answer of Superintendent S. B. Thorne, regarding the matter of dockage, which was brought to his notice by a special committee recently.

This committee did not call upon him Saturday for a personal answer, as had been anticipated, but Mr. Thorne notified the company's district superintendents to instruct the men that henceforth the same rules for dockage would prevail as in the past.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were brought to his notice by a special committee recently.

The superintendent remarked yesterday to a Tribune man that the company had always treated the men most generously in the matter of dockage, and that the Temple company rules were